

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MARYLAND CASUALTY COMPANY,

Plaintiff,

v.

ORDER
10-CV-266

EFFICIENT SOLUTIONS, INC. And
DALE DAHLGREN,

Defendants.

The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On February 14, 2013, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendants' motions for summary judgment be denied and plaintiff's cross motions for summary judgment be granted. In addition, plaintiff shall have no obligation to defend and/or indemnify the defendants in the underlying state court action.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, defendants' motions for summary judgment are denied and plaintiff's cross motions for summary judgment are granted. In addition, plaintiff shall have no obligation to defend and/or indemnify the defendants in the underlying state court action.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: March 8, 2013